

Subject No. 187.

Kathral Tank and
Sultanipur Amrut
Mahal Kaval.

Summary of discussion.—As was represented last year, a second sluice should be provided for the Kathral Tank, which is now under construction. A portion of the Sultanipur Amrut Mahal Kaval should be made available for cultivation, as Government is likely to be benefited largely by this. The Deputy Commissioner has supported the application.

Dewan's reply.—The Deputy Commissioner's report on the subject will be attended to.

Subject No. 188.

Assessment under
Bhimasamudra Tank.

Summary of discussion.—More than one-fourth of the irrigable lands under Bhimasamudra Tank in the Chitaldroog Taluk is lying waste for want of raiyats to cultivate the same. But raiyats from other places are not willing to come and settle owing to the heaviness of the assessment fixed on the said lands by the Survey Department. These lands may be given out for cultivation on reduced rates of assessment.

The Deputy Commissioner remarked that the assessment was not high.

Dewan's reply.—Declined.

Subject No. 189.

Sec. 248, Civil Pro-
cedure Code.

Summary of discussion.—Section 248 of the Civil Procedure Code provides that when the execution of a decree is applied for after the period of one year from the date of such decree, a notice should be issued to the defendant to show cause why the decree should not be executed. This enables the defendants or their representatives to conceal their property. The rules are clear that any payment made out of Court and not duly notified to the Court shall not be recognized. Arrest and attachment before decree are also permissible under the Code. Therefore the issue of a notice under Section 248 is unnecessary. If, however, the law on this point can not be altered, attachment and arrest simultaneously with the issue of a notice may at least be provided for.

Dewan's reply.—A little consideration will show that the present rule is sound. If the decree-holder may sleep over his decree for one year, a notice to the judgment-debtor is only reasonable. The proposed alteration of law is inexpedient.

Subject No. 190.

Public office build-
ings at Chitaldroog.

Summary of discussion.—The Munsiff's Court and the Taluk Cutcherry should be located in the same building. A rearrangement of public offices at Chitaldroog is necessary.

Dewan's reply.—This does not affect the public. The Government will see about it.

Subject No. 191.

Octroi on small
quantities imported
for private use.

Summary of discussion.—The Municipal rules say that Octroi should not be levied on articles brought for private use in small quantities. But this is somewhat indefinite. It is requested, therefore, that all articles brought for home consumption be exempted from the payment of the duty.

Dewan's reply.—It is rather a rule which should be abolished than one to be kept and improved upon. It is a relic of the old Sayer system, under which duty was levied at the place of production on produce sold. Under such a system, exemption of quantity retained for home consumption was reasonable. But Octroi is a Municipal tax on local consumption and should be levied on all quantities brought within Municipal limits for consumption therein.

Subject No. 192.
Shimoga District
Judge to take up
cases at Chitaldroog.

Summary of discussion.—The opening of a Sub-Judge's Court at Shimoga has not benefited people of the Chitaldroog District. The District Judge of Shimoga should be directed to hear appeals and to admit Original and Miscellaneous cases when he comes to Chitaldroog to hold the Criminal Sessions. The Dewan was pleased to observe at the last two meetings that these suggestions were good and would receive consideration. The Chief Court should be instructed. If the above course is not feasible, the Sub-Judge's Court at Shimoga should be made a circuit Court.

Dewan's reply.—Government cannot lay down an absolute rule on this subject. The District Judge can entertain such applications while on circuit, if both parties agree. But there may be cases, in which one or both parties would prefer to have the hearing at Shimoga. The representation will be referred to the Chief Court.

Subject No. 193.
Ineligibility of
Pleaders to the Mysore
Civil Service.

Summary of discussion.—Advocates are allowed to appear for the Mysore Civil Service Examinations. The same concessions may be shown to the Pleaders of the Mysore Bar.

Dewan's reply.—Impracticable. The educational qualifications sufficient for the Bar are too low for the M. C. S.

Subject No. 194.
Representation of
Muzrai Dharmadarsis on D. R. A.

Summary of discussion.—An order regarding the election of Members for the Dasara Representative Assembly from among the Muzrai Dharmadarsis of the Province seems necessary.

Dewan's reply.—No. The property qualification fixed is sufficiently low to bring them in.

Subject No. 195.
Octroi for Chalakere.

Summary of discussion.—The Municipal Revenue of Chalakere Town is only about Rs. 300, which is hardly sufficient for the payment of conservancy charges. The system of levying Octroi duty should be introduced.

Dewan's reply.—Referred to the Deputy Commissioner. This is matter for the consideration of the Municipal Board.

Subject No. 196.
Water-supply for
gardens under Karekal Tank.

Summary of discussion.—There are some cocoanut gardens below the Karekal Tank at Chalakere. The owners of these gardens cannot freely take water, as it is stated in the Survey "Utar patrika" that owners of gardens can only take such water with the special permission of the authorities, leaving sufficient water in the tank for wet cultivation, on the ground that the tank in question fills only once in three or four